

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY THOMAS M. WOSTER, RELIANCE, SOUTH)	COMPLAINT AND CLOSING
DAKOTA, AGAINST DIRECT ONE COM.LONG)	DOCKET
DISTANCE REGARDING UNAUTHORIZED)	
TELECOMMUNICATIONS CHARGES AND)	CT01-026
SERVICES)	

On May 21, 2001, the Public Utilities Commission (Commission) received a complaint filed by Thomas M. Woster, Reliance, South Dakota (Complainant), against Direct One Com.Long Distance (Direct One) regarding unauthorized telecommunications charges and services.

On May 21, 2001, the complaint was faxed to Direct One. Pursuant to ARSD 20:10:01:09, Direct One was notified that it must satisfy the complaint or file an answer in writing with the Commission by June 11, 2001. The Commission has not received an answer from Direct One to this complaint. A hearing in this matter was scheduled for July 10, 2001. By order dated June 26, 2001, the hearing was cancelled as Commission Staff was informed that settlement was pending in this matter.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

On July 24, 2001, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 27th day of July, 2001.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: _____
Date: _____
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner